

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
EASTERN DIVISION

ROY DAVID HEATH, #217344,	)	
	)	
Petitioner,	)	
v.	)	CASE NO. 3:05-cv-936-MEF
	)	
J. C. GILES, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE  
of the court that:

(1) The petitioner's Objections to the Magistrate Judge Recommendation (Doc. #12)  
filed on April 28, 2006 are overruled;

(2) The Recommendation of the United States Magistrate Judge entered on April 18,  
2006 (Doc. #11) is adopted;

(3) The petition for habeas corpus relief is DENIED and this case is DISMISSED  
pursuant to 28 U.S.C. § 2244(d).

DONE this 31st day of May, 2006.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE